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4 Attorney for Plaintiff John Lebrun

5 UNITED STATES BANKRUPTCY COURT

6 CENTRAL DISTRICT OF CALIFORNIA

7 LOS ANGELES DIVISION

8 CHAPTER 7

9 In re:

10 Robert Reza Rezvani

11 Debtor

12 John Lebrun,

13 Plaintiff,

14 vs.

15 Robert Reza Rezvani,

16 Defendant

Case No.: 2:14-bk-23510-TD

Adv No.: 2:14-ap-01676-TD

**PLAINTIFF'S MOTION FOR
RECONSIDERATION OF ORDER
DISMISSING ADVERSARY
PROCEEDING FOR LACK OF
PROSECUTION AND REQUEST FOR A
HEARING**

17 TO THE HONORABLE THOMAS DONOVAN, UNITED STATES BANKRUPTCY
18 JUDGE, AND ALL OTHER INTERESTED PARTIES:

19 STATEMENT OF FACTS

20 John Lebrun ("Plaintiff") filed this Adversary Proceeding on October 21, 2014. On January 14,
21 2015, an Order was entered dismissing Plaintiff's case for lack of prosecution. The Court noted
22 that counsel for Plaintiff failed to (1) appear at the January 14, 2015 status conference hearing, (2)
23 file a status conference report, as required by LBR 7016-1(a)(2), (3) serve the alias issued summons
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on the defendant, (4) serve the complaint in compliance with FRBP 7004 and in In re Villar, 317
B.R. 88 (9th Cir. BAP 2004.

On behalf of Plaintiff, Counsel seeks for the Court to reconsider dismissing the case due to the
following reasons:

ARGUMENT

1. Noncompliance with the Court was not intentional.
2. Plaintiff will suffer hardship if the Adversary Proceeding dismissal is not reconsidered.
3. Plaintiff has a meritorious claim against the Debtor.
4. Plaintiff suffered actual financial loss and serious personal injury.
5. Plaintiff has a judgment against Debtor for willful and intentional personal injuries.
6. If the Adversary Proceeding is not reconsidered, Debtor will discharge his debt to Plaintiff
of over \$624, 000.00.
7. Plaintiff's counsel respectfully submits that she was distracted during the course of this
matter due to the bitter break-up of an almost-50 year personal relationship.
8. Counsel apologizes to the Court and asks that the Plaintiff be allowed to proceed in a
competent and good faith manner.

CONCLUSION

For the foregoing reason, Plaintiff respectfully requests that the Court sign an order to reconsider
the Order for Dismissal, and Request a hearing to allow the Plaintiff to move forward in this
Adversary Proceeding.

Dated this 15 of January 2015.

Zakeya Leona Brookins

[Attorney Name]



PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

12301 Wilshire Boulevard, Suite 500, Los Angeles, CA 90025

A true and correct copy of the foregoing document entitled (*specify*):

PLAINTIFF'S MOTION FOR RECONSIDERATION OF ORDER DISMISSING ADVERSARY PROCEEDING FOR LACK OF PROSECUTION AND REQUEST FOR A HEARING

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) January 15, 2015, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Heide Kurtz (TR)
trustee@hkurtzco.com, ecf.alert+Kurtz@titlexi.com

United States Trustee (LA)
ustpreion16.la.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) January 15, 2015, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Robert Reza Rezvani
1546 Kiowa Crest Dr.
Diamond Bar, CA 91765

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) January 16, 2015, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

United States Bankruptcy Court
Central District of California
Edward R. Roybal Federal Building and Courthouse

255 E. Temple Street, Suite 1352 / Courtroom 1345
Los Angeles, CA 90012

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

January 15, 2015
Date

Printed Name

Zakeya Leona
Brooklyn

Zakeya Leona
Signature
Brooklyn